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July 10, 2024

VIA ECF

Honorable Ken Karas, U.S.D.J.
United States District Court
Southern District of New York
300 Quarropas St.
White Plains, NY 10601-4150

Re: CarMax Auto Superstores, Inc. v. Mike Cerreta Auto Sales and Michael Cerreta
U.S. District Court for the Southern District of New York, Case No. 7:24-cv-2959
Letter Motion for Extension of Time to Respond to Defendants' Answer

Your Honor:

We represent Plaintiff CarMax Auto Superstores, Inc. ("CarMax") in the above-referenced action. With Defendants' consent, CarMax respectfully submits this request for an extension of time within which Defendants may file a motion pursuant to Rule 12 or otherwise respond to Defendants' Answer to CarMax's Complaint (ECF No. 18). Pursuant to Rule 12(f) of the Federal Rules of Civil Procedure and Rule I(C) of Your Honor's Individual Practices, CarMax states the following in support of its request:

1. CarMax initiated this matter on April 18, 2024. (ECF No. 1.)
2. Defendants filed an answer to CarMax's Complaint on June 20, 2024. (ECF No 18.)
3. CarMax is currently assessing the propriety of a Motion to Strike Defendants' Affirmative Defenses to the Complaint.
4. The parties have conferred regarding a thirty-day extension from July 11, 2024 until and including August 12, 2024 for CarMax to respond to the Answer. Counsel for Defendants consents to CarMax's extension until and including August 12, 2024 for CarMax to respond to the Answer, if CarMax determines to do so.
5. There is good cause to grant the requested extensions as this is the second request

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for an extension of time between the parties, and the extension will not prejudice either party.

6. No deadlines will be affected by the relief sought. The Parties do not object to the scheduling of an initial conference in this case pursuant to Your Honor's Individual Practices notwithstanding the agreed extension.

In light of the foregoing, CarMax respectfully requests the Court extend the time within which it may respond to Defendants' Answer up to and including August 12, 2024.

We thank Your Honor for your consideration of this request. If Your Honor has any questions or concerns, please do not hesitate to contact my office.

Granted.

Respectfully submitted,

So Ordered.

A handwritten signature in black ink, appearing to read "Stephen J. Steinlight", written over the words "So Ordered." and the date "7/10/24".

7/10/24

/s/ Stephen J. Steinlight
Stephen J. Steinlight

cc: All Counsel of Record (via ECF, U.S. Mail, and email)

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CERTIFICATE OF SERVICE

I certify that on July 10, 2024, a copy of the foregoing Letter Motion for Extension of Time to Respond to the Complaint was served by CM/ECF, U.S. Mail, postage prepaid, and email on:

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